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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/505,242

Filing Date August 20, 2004

First Named Inventor Dziobek, et al.

Art Unit 1754

Examiner Name

Attorney Docket Number 1-16693

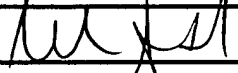
**ENCLOSURES (Check all that apply)**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify<br>below): |
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Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name MARSHALL &amp; MELHORN, LLC

Signature 

Printed name Mark A. Hixon, Esq.

Date 2/4/05

Reg. No. 44,766

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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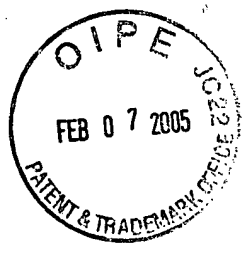
Typed or printed name Mark A. Hixon, Esq., Reg. # 44,766

Date February 4, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

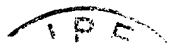
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1754  
DFW



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Mark A. Hixon  
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(signature)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
DZIOBEK, et al.	)	Art Unit: 1754
	)	
Serial No. 10/505,242	)	Examiner:
	)	
371(c) date: 12/30/2004	)	
	)	Attorney Docket 1-16693
	)	
For: METHOD FOR THE	)	
PRODUCTION OF NITRIC ACID	)	
	)	

\_\_\_\_\_  
February 4, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Honorable Sir:

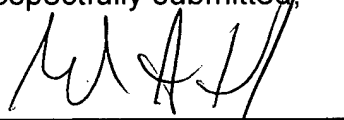
Pursuant to Section 1.97 of Title 37 of the Code of Federal Regulations, record is hereby made of information, which the United States Patent and Trademark Office may wish to consider during examination of the above-entitled application. No representation is made or intended that a prior art search was conducted, or that no better information than that listed is available.

As this Information Disclosure Statement is being submitted prior to a first Office Action on the merits it is respectfully submitted that no fee is required.

A copy of the documents are listed on the attached Form PTO/SB/08A enclosed herewith. It is requested that it be fully considered and made of record in this case.

An English translation of a corresponding German Office Action in a corresponding application in Germany is submitted herewith as a statement of relevance for the non-English documents cited thereon. An English language copy of the International Search Report is also submitted herewith as a statement of relevance for the non-English documents cited thereon. It is respectfully submitted that all non-English documents submitted herewith are accompanied by English language statements of relevance.

Respectfully submitted,



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Registration No. 44,766

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Toledo, Ohio 43604  
(419) 249-7114  
(419) 249-7151 (Facsimile)

**Complete if Known**

*(Use as many sheets as necessary)*

Sheet	1	of	2
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Application Number	10/505,242
Filing Date	August 20, 2004
First Named Inventor	Dziobek, et al.
Art Unit	1754
Examiner Name	
Attorney Docket Number	1-16693

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> ~Number <sup>4</sup> ~Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
		DE 39 12 650 A1	10-25-1990	Wiegand, et al.		
		DE 44 10 440 A1	08-10-1995	Shnaid, et al.		
		EP 0 945 400 A	09-29-1999	Maurer, Rainer		
		EP 0 154 470 A	09-11-1985	Moseley, Fred		
		WO 01 68520	09-20-2001	Maurer, Rainer		
		DE 20 02 791 A	07-29-1971	Karau, Dieter		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

**Complete if Known**

Application Number	10/505.242
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Art Unit	1754
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Examiner Name

Attorney Docket Number	1-16693
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Sheet	2	of	2
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## U. S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> ~Number <sup>4</sup> ~Kind Code <sup>5</sup> (if known)				
		DE 19 11 200 A	09-17-1970	Oberste-Berghau		

Examiner Signature		Date Considered	
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